



ENTERED
09/10/2015

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:	§	
	§	
DAVID GORDON WALLACE, JR.,	§	CASE NO. 15-31594
	§	
DEBTOR.	§	(CHAPTER 7)
	§	

**SUPPLEMENTAL ORDER GRANTING CHAPTER 7 TRUSTEE'S MOTION
TO COMPEL VIRGINIA ACQUISITIONS, LLC AND BILL EWING TO
PRODUCE DOCUMENTS AND FOR CONTEMPT SANCTIONS
[Related to Dkt. No. 132]**

On September 8, 2015, the Court held a status conference on the Order [Dkt. No. 132] (the "Order") granting the motion [Dkt. No. 125] of Rodney D. Tow (the "Trustee"), Chapter 7 trustee for David Gordon Wallace, Jr. (the "Debtor") to compel Virginia Acquisitions, LLC and Bill Ewing to produce the documents requested in the Notice of Rule 2004 Examination of Virginia Acquisitions, LLC [Dkt. 95] ("Request for Production") and a hearing to consider whether additional sanctions for contempt are appropriate; and the Court having heard the testimony of Charles Rubio, counsel to the Trustee, that the Order has not been complied with; and a copy of the Order was served on September 1, 2015 by email to Richard Walters at rwalters@spencerfane.com and Bill Ewing at bill_ewingjr@ewingcc.com and by U.S. Mail on Spenserv-Springfield, Inc. at 3529 East Ridgeview Street, Springfield, MO 65804, the registered agent for Virginia Acquisitions, LLC; and the Court having found that Virginia Acquisitions, LLC and Bill Ewing, a member of Virginia Acquisitions, LLC, continue to be in contempt of the Order for failure to respond to the Request for Production and refusal to comply with the Order; and the Court finding that the Trustee is hampered from doing his job as a result of the failure to respond to the Request for Production; and the Court having the inherent authority as an Article I

court and under section 105(a) of the United States Bankruptcy Code to compel compliance with the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure; and based on the record in this case and for good cause appearing, it is hereby ORDERED THAT:

1. Virginia Acquisitions, LLC and its member, Bill Ewing, shall immediately produce all documents in each and every category requested in the Request for Production.

2. Sanctions shall accrue at the rate of three hundred dollars (\$300.00) per calendar day, beginning on September 9, 2015, for each calendar day that Virginia Acquisitions, LLC and its member, Bill Ewing, have failed to comply with and respond fully to the Request for Production.

3. A status hearing shall be held on September 22, 2015, at 11:00 am, in this Court, at which time the Trustee shall report on the status of Virginia Acquisitions, LLC's and Bill Ewing's compliance with this Order, and the Court shall at that hearing consider whether additional sanctions are appropriate.

4. The Court shall retain jurisdiction to enforce this Order.

SIGNED this 9th day of Sept., 2015.



Jeff Bohm
U.S. Bankruptcy Judge

United States Bankruptcy Court
Southern District of TexasIn re:
David Gordon Wallace, Jr.
DebtorCase No. 15-31594-jb
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0541-4

User: vatt
Form ID: pdf002Page 1 of 2
Total Noticed: 12

Date Rcvd: Sep 11, 2015

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 13, 2015.

db +David Gordon Wallace, Jr., 1634 Brookstone Lane, Sugar Land, TX 77479-1895
 cr +Certain of the BusinessRadio Noteholders, c/o Schmidt Law Firm PLLC,
 7880 San Felipe Suite 210, Houston, Tx 77063-1631
 cr +Charles Clements, PO Box 90661, Austin, TX 78709-0661
 cr +Community Bank & Trust, Waco, Texas, P O Box 2303, Waco, TX 76703-2303
 cr +Compass Bank, P.O. BOX 201347, ARLINGTON, TX 76006-1347
 cr +Frost Bank, c/o L. David Smith, Chernosky, Smith, Ressler & Smith, PLLC,
 4646 Wild Indigo, Suite 110, Houston, Tx 77027-7190
 cr +LoweryBank, a division of Huntington State Bank, c/o The Holoway Jones Law Firm, PLLC,
 407 Julie Rivers Drive, Sugar Land, Tx 77478-3181
 intp +NSJS Limited Partnership, 3201 MacArthur, Waco, TX 76708-1735
 cr +T. R. Dunn Family Trust, c/o Michael J. Durrschmidt, Hirsch & Westheimer, PC,
 1415 Louisiana, 36th Floor, Houston, TX 77002-7360
 cr +Taseer Badar, 7880 San Felipe, Suite 210, Houston, Tx 77063-1631, UNITED STATES
 acc ++WILLIAM G WEST P C CPA, 12345 JONES ROAD, SUITE 214, HOUSTON TX 77070-4959
 (address filed with court: William G West PC CPA, 12345 Jones Rd, Suite 214,
 Houston, TX 77070)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 cr E-mail/Text: strevino@nationwide.net Sep 11 2015 21:11:13 Mesa Asset Management, LLC,
 3016 Rice Blvd., Houston, TX 77005-3050

TOTAL: 1

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Brian Stanley
 cr Bryan Stanley
 cr Certain Noteholders/Investors, c/o Schmidt Law Firm PLLC
 cr Stonehenge Companies LLC
 cr Thomas L. Taylor

TOTALS: 5, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 13, 2015

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 10, 2015 at the address(es) listed below:

Charles M. Rubio on behalf of Trustee Rodney D Tow crubio@diamondmccarthy.com,
 lsimon@diamondmccarthy.com
 Charles Thomas Schmidt on behalf of Creditor Taseer Badar firm@schmidtfirm.com
 Christopher R Murray on behalf of Trustee Rodney D Tow cmurray@diamondmccarthy.com,
 mjackson@diamondmccarthy.com;jsauceda@diamondmccarthy.com
 David W Anderson on behalf of Interested Party NSJS Limited Partnership dwanderson@ralaw.net,
 dwanderson@swbell.net
 Hector Duran on behalf of U.S. Trustee US Trustee Hector.Duran.Jr@usdoj.gov
 Janet S Casciato-Northrup on behalf of Debtor David Gordon Wallace, Jr. tsimpson@hwa.com
 Jeffrey R Cox on behalf of Creditor Community Bank & Trust, Waco, Texas jcox@slmpc.com
 Joseph G Epstein on behalf of Creditor Thomas L. Taylor jepstein@winstead.com,
 pschneller@winstead.com;deierdam@winstead.com
 L David Smith on behalf of Creditor Frost Bank smith@csrslaw.com
 Michael J Durrschmidt on behalf of Creditor T. R. Dunn Family Trust
 mdurrschmidt@hirschwest.com, bhowell@hirschwest.com;lnguyen@hirschwest.com
 Nancy Lynne Holley on behalf of U.S. Trustee US Trustee nancy.holley@usdoj.gov
 Patrick L Hughes on behalf of Creditor Stonehenge Companies LLC hughesp@haynesboone.com
 Peter Johnson on behalf of Creditor Bryan Stanley pjohnson@pjlaw.com, msawyer@pjlaw.com

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Peter Johnson on behalf of Creditor Brian Stanley pjohnson@pjlaw.com, msawyer@pjlaw.com
Preston T Towber on behalf of Creditor Certain Noteholders/Investors preston@towberlaw.com
Preston T Towber on behalf of Creditor Certain of the BusinessRadio Noteholders
preston@towberlaw.com
Robert G Miller on behalf of Creditor Brian Stanley rmiller@ofmklaw.com
Rodney D Tow on behalf of Trustee Rodney D Tow
RT@trustesolutions.net;jwarren@rtowtrustee.com;rodneytow@outlook.com;RT@trustesolutions.com
Rodney D Tow
RT@trustesolutions.net;jwarren@rtowtrustee.com;rodneytow@outlook.com;RT@trustesolutions.com
Stephanie Stigant on behalf of Creditor LoweryBank, a division of Huntington State Bank
litigation@jonesattorneys.com
US Trustee USTPRegion07.HU.ECF@USD.OJ.GOV
Wayne Kitchens on behalf of Debtor David Gordon Wallace, Jr. jwk@hwallp.com, scastillo@hwa.com
TOTAL: 22